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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 UNITED STATES OF AMERICA,)
)
8 Plaintiff,) Case No. MJ09-243
)
9 v.)
) **DETENTION ORDER**
10 BRANDON R. SHELL ,)
)
11 Defendant.)
)
12

13 Offense charged:

14 Felon in Possession of a Firearm.

15 Possession with Intent to Distribute Cocaine Base in the form of Crack.

16 Date of Detention Hearing: May 20, 2009.

17 The Court, having conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f), and
18 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
19 that no condition or combination of conditions which the defendant can meet will reasonably
20 assure the appearance of the defendant as required and the safety of any other person and the
21 community.

22 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

23 Defendant has a long criminal history extending back to 1997 with convictions for theft,

1 assault, felony drug violations, obstruction, and unlawful possession of a firearm. According to
2 the Washington Department of Corrections, defendant's performance on supervision has been
3 poor. In addition, he has a pending felony drug charge in St. Louis Missouri. The defense
4 proffered that defendant has done well in the King County Jail work release program and that
5 defendant should be released because this shows defendant is not a flight risk. However, the
6 government proffered that while defendant was in the King County Jail, he engaged in obstructive
7 conduct in this case by attempting to pay someone to take responsibility for the crime.

8 It is therefore ORDERED:

9 (1) Defendant shall be detained pending trial and committed to the custody of the
10 Attorney General for confinement in a correctional facility separate, to the extent practicable,
11 from persons awaiting or serving sentences, or being held in custody pending appeal;

12 (2) Defendant shall be afforded reasonable opportunity for private consultation with
13 counsel;

14 (3) On order of a court of the United States or on request of an attorney for the
15 Government, the person in charge of the correctional facility in which Defendant is confined shall
16 deliver the defendant to a United States Marshal for the purpose of an appearance in connection
17 with a court proceeding; and

18 (4) The clerk shall direct copies of this order to counsel for the United States, to counsel
19 for the defendant, to the United States Marshall, and to the United States Pretrial Services Officer.

20 DATED this 20th day of May, 2009.

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23 BRIAN A. TSUCHIDA
United States Magistrate Judge